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**ATTORNEYS FOR PLAINTIFF & THE CLASS**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GERALD HESTER, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

VISION AIRLINES, INC.,

Defendant.

Case No.: 2:09-CV-00117-RLH-RJJ

**THE CLASS' REPLY IN SUPPORT OF ITS MOTION TO COMPEL IN AID OF  
EXECUTION OF JUDGMENT DISCOVERY AND INCORPORATED  
MEMORANDUM OF LAW**

Vision Airlines, Inc. ("Vision") is once again flaunting the Court's Local Rules and the Federal Rules of Civil Procedure and preventing the Class from obtaining the discovery necessary to allow the Class to collect on the \$1,811,251 judgment ("Second Judgment") entered by this Court on September 6, 2013. [D.E. 343, 344]. After the Court entered the Second Judgment, the Class served Vision with interrogatories and document requests in aid of

1 execution of the Second Judgment (“In Aid of Execution Discovery”). Vision’s responses to the  
2 In Aid of Execution Discovery were due on or before November 18, 2013. Despite its  
3 obligations, Vision never provided responses to the In Aid of Execution Discovery. The Class  
4 moved to compel Vision to produce all documents responsive to the In Aid of Execution  
5 Discovery on December 5, 2013, arguing that Vision had waived any objection by failing to  
6 respond. [D.E. 354]. Pursuant to the Federal Rules, Vision’s Response to the Class’ Motion to  
7 Compel in Aid of Execution of Judgment Discovery (“Motion to Compel”) was due on or before  
8 December 23, 2013. Despite being sanctioned twice by this Court for its rampant discovery  
9 violations, Vision has failed to respond to the Class’ Motion to Compel in an effort to once again  
10 prevent the Class from obtaining the documents necessary to collect on the Second Judgment.  
11 Vision’s intransigence must end and it must be once again ordered to comply with the Federal  
12 Rules. Accordingly, the Class respectfully requests that the Court grant the Class’ Motion to  
13 Compel, hold that Vision has waived any objections it may have had to the In Aid of Execution  
14 Discovery, and require Vision to produce all responsive documents by a date certain.

15 Respectfully submitted,

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20 By: /s/ David M. Buckner  
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25 **COUNSEL FOR PLAINTIFF AND THE CLASS**  
26  
27  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true copy of the foregoing has been served via the Court's CM/ECF system on January 2, 2014.

By: /s/ David M. Buckner  
David M. Buckner

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